

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

| | | |
|--------------------------|---|-----------------|
| UNITED STATES OF AMERICA |) | |
| |) | |
| v. |) | |
| |) | 19-cr-10063-DJC |
| RANDALL CRATER, |) | |
| |) | |
| Defendant |) | |

MOTION TO CONTINUE DEFENDANT'S SENTENCING DATE

Defendant Randall Crater, by and through undersigned counsel, hereby moves this Honorable Court to continue his sentencing date, currently scheduled for January 26, 2023, to January 31, 2023 or any date thereafter that is convenient for the Court.

In support of this motion, defendant states, by and through undersigned counsel, that undersigned counsel previously filed an assented-to motion to continue defendant's sentencing date to January 25, 2023 or any date thereafter that was convenient for the Court. The Court granted the motion and scheduled defendant's sentencing for January 26, 2023. However, undersigned counsel has a prior commitment on January 26, 2023. Undersigned counsel will be in San Juan, Puerto Rico attending the Federal Bar Association's National Board Meeting in his capacity as Chair of the FBA's Circuit Vice Presidents on that date. Accordingly, undersigned counsel respectfully requests the Court to further continue defendant's sentencing hearing to January 31, 2023, or any date thereafter that is convenient for the Court.

Should the Court grant this continuance and reschedule the sentencing for January 31, 2023, U.S. Probation Officer Richard Rinaldi previously requested that counsel be advised that all objections to the initial presentence report will be due no later than three weeks before the sentencing date (January 10, 2023), and that the final presentence report will be provided to the parties on January 24, 2023.

WHEREFORE, defendant respectfully requests that this Honorable Court continue his sentencing to January 31, 2023, or any date thereafter that is convenient for the Court.

Respectfully submitted,
For the Defendant,
Randall Crater
By his attorneys:

/s/ Scott P. Lopez
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Dated: December 6, 2022

CERTIFICATE PURSUANT TO LOCAL RULE 7.1

The undersigned counsel for Randall Crater hereby certifies that he attempted to confer with AUSA Christopher J. Markham on December 6, 2022, by electronic mail, in a good faith attempt to resolve or narrow the issue raised in this motion and the government assents to this motion. However, AUSA Markham, who is on trial, understandably did not respond to the electronic mail I sent to him.

/s/ Scott P. Lopez
Scott P. Lopez

CERTIFICATE OF SERVICE

I hereby certify that this document filed through the ECF system will be sent electronically to the registered participants as identified on the Notice of Electronic Filing (NEF) on December 6, 2022.

/s/ Scott P. Lopez
Scott P. Lopez